

OLC 80-0819
26 March 1980

MEMORANDUM FOR: All Employees,
Office of Legislative Counsel

FROM: Frederick P. Hitz
Legislative Counsel

SUBJECT: Requests of CIA Components for Information

1. The purpose of this memorandum is to establish an Office procedure for requesting information from components of this Agency in response to Congressional inquiries or to other inquiries assigned to this Office for action.

2. Although requests for information by this Office are not all that numerous, we should, nevertheless, establish a clear procedure to be followed by all. Up to now it appears that we have been somewhat inconsistent in requesting information from among and within the directorates and independent offices. It is, needless to say, critically important for us to be thorough and to be aware of all the information within the Agency about a particular individual, organization or matter even if for policy or legal reasons we cannot be fully forthcoming. It should be remembered that the Directorate of Operations (DO) is not the repository of all information in the Agency and depending upon the subject matter of the inquiry, other components may be able to provide information more relevant to our and the requester's needs.

3. In the future, requests for information should be addressed as follows:

MEMORANDUM FOR: Executive Secretary
General Counsel
Inspector General
Director of Personnel Policy, Planning and
Management
Director, National Foreign Assessment Center
Associate Deputy Director for Science and
Technology
Associate Deputy Director for Administration
Associate Deputy Director for Operations

Copies should be sent directly to the following, who should be shown on memoranda as receiving them:

Director of Central Reference
Director of Security
C/DA/ISS/IPD
C/DO/PCS
C/DO/IMS

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By sending copies directly to these five addressees we will expedite records searches by the offices which are most likely to have or to be able to locate information responsive to our needs. It will be up to the D/NFAC, the A/DDS&T, A/DDA and A/DDO (although less so the latter since there is centralized files management in the Directorate of Operations) to determine what, if any, additional subordinate offices or divisions may have information responsive to our request. Please give all addressees the maximum amount of time to respond to our requests and, in cases where there are requests with approximately the same due dates, prioritize them.

4. Congressional correspondence which either makes inquiries concerning individuals or forwards constituents' letters must be answered within very short time-frames. Recent experience suggests that the individual or constituent is often known because the individual has either written to senior Agency officials, made an FOI or Privacy Act request, or applied for employment or some benefit, etc., the individual believes he or she is entitled to receive. When operating in "exigent circumstances" information should be sought directly from the following offices:

Executive Secretary
IG
GC
O/PPPM
O/Security
ISS/IPD
PCS (with copy to IMS

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5. As a reminder, non-publicly available information concerning U.S. persons disseminated outside the Agency by this Office must be examined in light of Section 2-208 of Executive Order 12036 and its implementing procedure and other Attorney General approved procedures dealing with the specific form or technique of collection. Furthermore, in order to comply with the recordkeeping provisions of the Privacy Act of 1974, each time any information concerning a specifically identifiable citizen or permanent resident alien of the United States (this requirement does not apply to incorporated or unincorporated entities) is disseminated

outside our Office, a record must be made which is retrievable by the name of the individual concerned and which reflects the specific information disseminated and to whom it was disseminated. Not only should the concurrence of the office or component acquiring or originating the information be obtained prior to dissemination of the information, but it should be advised of such disseminations so that it, too, may index the name and establish or maintain a record of the dissemination in accordance with this Act.

6. This Office could be relieved of the burden of establishing Privacy Act records if the acquiring or originating office establishes or maintains the Privacy Act record. As a matter of sound management, however, I want this Office to retain records of all information, not just that concerning U.S. persons, disseminated in response to Congressional inquiries.



Frederick P. Hitz
Legislative Counsel

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Distribution:

1 - Ex. Sec.
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1 - OLC Subject

1 - OLC Chron

OLC:AEG:jms (26 Mar 80)

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ROUTING AND TRANSMITTAL		Date 4/7/80	
TO: (Name, office symbol, room number, building, Agency/Post)		Initials	Date
1. Chief, PS	1006 Ames	B	4/7
2.			
3. Chief, PMES	"	W	4/8
4.			
5. Chief, P&PS	"	g	4/7
Action	File	Note and Return	
Approval	For Clearance	Per Conversation	
As Requested	For Correction	Prepare Reply	
Circulate	For Your Information	See Me	
Comment	Investigate	Signature	
Coordination	Justify		

REMARKS

6. Chief, PMCD 1016 Ames

7. DD/P&E 1006 Ames

The attached is FYI.

DO NOT use this form as a RECORD of approvals, concurrences, disposals, clearances, and similar actions

FROM: (Name, org. symbol, Agency/Post)	Room No.—Bldg.
DD/P&E	Phone No.

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* U.S. G.P.O. 1977-241-530/3090

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